

for the

**Eastern District of Pennsylvania**

**September 19, 2012**

U.S.A. vs. Thomas E. Williams

Case No. 2:04CR00475-01

**Petition on Supervised Release**

COMES NOW Carla S. Benjamin U. S. PROBATION OFFICER OF THE COURT presenting an official report upon the conduct and attitude of Thomas E. Williams who was placed on Supervised Release by the Honorable Anita B. Brody sitting in the Court at Philadelphia, PA, on the 19th day of December, 2005, who fixed the period of supervision at three years, and imposed the general terms and conditions theretofore adopted by the Court and also imposed special conditions and terms as follows:

**ORIGINAL OFFENSE:** Conspiracy to make false statements to a federally licensed firearms dealer (Count One); providing false information to a federal firearms licensee and aiding & abetting (Counts Two through Eight); convicted felon in possession of a firearm (Count Nine).

**ORIGINAL SENTENCE:** The defendant was committed to the custody of the U. S. Bureau of Prisons for one hundred and four (104) months on Counts One through Nine concurrently to be followed by a three year term of supervised release on Counts One through Nine concurrently. The defendant shall pay a \$900.00 special assessment.

**SPECIAL CONDITION:** The defendant shall pay a fine in the amount of \$1,500.00.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

Thomas Williams is currently being supervised by the U.S. Probation Office in the District of New Jersey due to his residence in Clementon, New Jersey. According to his supervising probation officer, Mr. Williams resides with his sister and family members and is presently collecting public assistance in the amount of \$210.00 monthly. He is in the process of applying for Social Security Disability benefits. Since commencing his term of supervised release, Mr. Thomas has submitted payments toward the financial obligation totaling \$75.00 due to his economic circumstances. At this time, he has agreed to continue submitting monthly payments in the amount of \$25.00.

Pursuant to United States v. Graham, 72 F. 3d 352, 356-57 (3d Cir. 1995), the Probation Office is requesting that the Court set the schedule for payment of the criminal monetary penalties. The Third Circuit held that the probation officer does not have the authority under the Victim and Witness Protection Act to determine the timing of the defendant's restitution installment payments ("...district court...must designate the timing and amount of the restitution payments..."). After examining the defendant's financial state it is recommended that the Court set the payment schedule in the amount of \$25.00 monthly.

PRAYING THAT THE COURT WILL ORDER...

THAT THE AFORESAID  
CRIMINAL MONETARY  
PENALTIES, AS IMPOSED, BE  
AMENDED TO INCLUDE THAT  
PAYMENT SHALL BE DUE IN  
MONTHLY INSTALLMENTS  
OF \$25.00, PENDING FURTHER  
REPORT BY THE PROBATION  
OFFICE.

Respectfully,

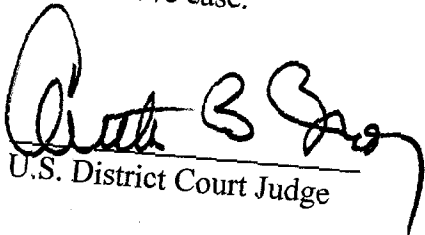


Thomas S. Adamczyk  
Supervising U.S. Probation Officer

Place Philadelphia, PA  
Date September 19, 2012

ORDER OF THE COURT

Considered and ordered this 27<sup>th</sup>  
day of September 2012 and ordered  
filed and made part of the records  
in the above case.

  
U.S. District Court Judge

cc: US Probation

Copies sent \_\_\_\_\_ To..

copies mailed 09.27.2012 to  
Thomas E. Williams, Esq.